

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LAURIE ANN JACKSON,

Plaintiff,

3:14-CV-0350
(GTS/ATB)

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

CLARK JORDAN PEZZINO
Counsel for Plaintiff
1207 Delaware Ave., Suite 202
Buffalo, New York 14209

AMANDA R. JORDAN, ESQ.

SOCIAL SECURITY ADMINISTRATION
OFFICE OF REG'L GEN. COUNSEL—REGION II
Counsel for Defendant
26 Federal Plaza, Room 3904
New York, New York 10278

MONIKA K. CRAWFORD, ESQ.

GLENN T. SUDDABY, United States District Judge

DECISION and ORDER

The above matter comes to this Court following a Report-Recommendation by United States Magistrate Andrew T. Baxter, filed on April 7, 2015, recommending that the Commissioner's decision be affirmed and Plaintiff's Complaint be dismissed. (Dkt. No. 13.) Objections to the Report-Recommendation have not been filed and the time in which to do so has expired. (*See generally* Docket Sheet.) After carefully reviewing all of the papers herein, including Magistrate Judge Baxter's thorough Report-Recommendation, the Court can find no

clear error in the Report-Recommendation.¹ As a result, the Report-Recommendation is accepted and adopted in its entirety; and Plaintiff's Complaint is dismissed in its entirety.

ACCORDINGLY, it is

ORDERED that Magistrate Judge Baxter's Report-Recommendation (Dkt. No. 13) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

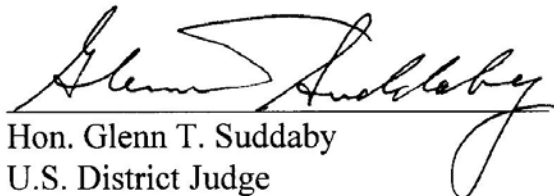
ORDERED that Plaintiff's motion for judgment on the pleadings (Dkt. No. 11) is **DENIED**; and it is further

ORDERED that Defendant's motion for judgment on the pleadings (Dkt. No. 12) is **GRANTED**; and it is further

ORDERED that the Commissioner's decision is **AFFIRMED**; and it is further

ORDERED that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED**.

Dated: May 15, 2015
Syracuse, New York


Hon. Glenn T. Suddaby
U.S. District Judge

¹ When no objection is made to a report-recommendation, the Court subjects that report-recommendation to only a *clear error* review. Fed. R. Civ. P. 72(b), Advisory Committee Notes: 1983 Addition. When performing such a "clear error" review, "the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Id.*; see also *Batista v. Walker*, 94-CV-2826, 1995 WL 453299, at *1 (S.D.N.Y. July 31, 1995) (Sotomayor, J.) ("I am permitted to adopt those sections of [a magistrate judge's] report to which no specific objection is made, so long as those sections are not facially erroneous.") (internal quotation marks and citations omitted).